

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

ELI LILLY AND COMPANY,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 1:06-CV-1017-SEB-JMS
)	
TEVA PHARMACEUTICALS USA, INC.,)	
)	
Defendant.)	
)	

LILLY’S MOTION TO SEAL CERTAIN DOCUMENTS

Plaintiff Eli Lilly and Company (“Lilly”) respectfully requests that this Court, pursuant to Local Rule 5.3, permit the filing of the following documents under seal: (1) Lilly’s Memorandum in Support of Its Motion to Compel Teva to Produce Raloxifene Identified in Its ANDA; (2) Declaration of Laura P. Masurovsky in Support of Lilly’s Motion to Compel Teva to Produce Raloxifene Identified in Its ANDA and associated exhibits. In support of this motion, Lilly asserts the following:

1. Lilly’s Memorandum in Support of Its Motion to Compel Teva to Produce Raloxifene Identified in Its ANDA contains confidential and proprietary business information.
2. The Declaration of Laura P. Masurovsky in Support of Lilly’s Motion to Compel Teva to Produce Raloxifene Identified in Its ANDA and associated exhibits contain confidential and proprietary business information.
3. Pursuant to Federal Rules of Civil Procedure, Rule 26(c)(7), the Court is permitted to protect confidential business information and trade secrets.

WHEREFORE, Lilly respectfully requests that this Court grant this Motion to file the following documents under seal: (1) Lilly's Memorandum in Support of Its Motion to Compel Teva to Produce Raloxifene Identified in Its ANDA; (2) Declaration of Laura P. Masurovsky in Support of Lilly's Motion to Compel Teva to Produce Raloxifene Identified in Its ANDA and associated exhibits.

Respectfully submitted,

Dated: October 28, 2008

By: /s/ Laura P. Masurovsky

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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of October 2008, Lilly's Motion to Seal Certain Documents was filed electronically. Notice of this filing will be sent to the following by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. The sealed portion of this filing was served by causing a copy of the same to be delivered by electronic mail as follows:

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